

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-CR-117

ARNEZ A. RODGERS,

Defendant.

**ORDER GRANTING DEFENDANT'S REQUEST FOR
EVIDENTIARY HEARING ON MOTION TO SUPPRESS**

On June 20, 2017, a grand jury sitting in the Eastern District of Wisconsin returned a single count indictment against Arnez A. Rodgers charging him with possession of a firearm as a previously convicted felon, as previously having been convicted of a misdemeanor crime of domestic violence, and while subject to a domestic violence injunction issued by the State of Wisconsin. (Docket # 1.) Rodgers has filed a motion to suppress, arguing that he was subject to an unlawful seizure and search of his person by Milwaukee police officers. (Docket # 8.) As part of this motion, Rodgers seeks an evidentiary hearing to develop the facts surrounding the officers' stop. The government opposes Rodgers' request for an evidentiary hearing. (Docket # 9.)

Based on the parties' submissions and attachments, I find that an evidentiary hearing is necessary to resolve the factual and legal disputes raised by Rodgers' motion. As such, Rodgers' request for an evidentiary hearing is granted.

IT IS THEREFORE ORDERED that Rodgers' request for an evidentiary hearing is **GRANTED**. The clerk's office will contact the parties to schedule the evidentiary hearing.

Dated at Milwaukee, Wisconsin this 23rd day of August, 2017.

BY THE COURT

s/Nancy Joseph

NANCY JOSEPH

United States Magistrate Judge